

LAW OFFICES OF
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September 12, 2005

Hon. John Gleeson
 United States District Court
 Eastern District of New York
 225 Cadman Plaza East
 Brooklyn, New York 11201

U.S. DISTRICT COURT E.D.N.Y.
 ★SEPT 15 2005★

s/John Gleeson

BROOKLYN OFFICE

*granted no further adjournments
 no date 11/15/05 @ 2PM*

Re: United States of America v. Eloise Lyles-Phillips - CR-04-0150 (S-1)-2(JG)
United States of America v. Neil Phillips - CR-04-0150 (S-1) (JG)

Dear Honorable Sir:

I am writing at this time to respectfully request an adjournment of the sentencings of both of the above referenced defendants, Eloise Lyles-Phillips and Neil Phillips, presently scheduled to take place on September 16, 2005. The reason why an adjournment is requested is that although the zoning problem seems to have been resolved regarding the sale of the residential premises required to be sold pursuant to the forfeiture and plea agreement between the parties, additional time is needed to clear certain remaining and significant problems dealing with the certificate of occupancy for the said property. Although a closing is presently scheduled to take place "on or about September 20, 2005", the purchasers' attorney has made it clear that the purchasers' mortgage lender will not close until *after* a certificate of occupancy shall be delivered and reviewed, a process anticipated to take between thirty (30) days and forty-five (45) days.

Regarding the Sag Harbor property, also required to be marketed and sold, a new broker was retained, and an "open house" was recently held. Thus far, no firm offers to purchase have been received, despite some inquiries and a very significant drop in the "asking price". It is anticipated that with the end of the vacation season, serious purchasers will arise, trying to get an end of season "bargain". Lastly, insofar as the commercial property in Queens is concerned, complicated negotiations with the tenant in possession seem to be at a standstill. To date, there have been no other purchase offers.

I have spoken to all attorneys involved, Assistant United States Attorney Robert Capers, James DiPietro, Esq. and Paul Gianelli, Esq., and all attorneys agree that an adjournment of the subject sentencings until November 18, 2005 at 2:00 P.M., or such time thereafter as may

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more convenient to the Court, would be in the best interests of all concerned parties.

Please advise.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,



Joseph M. Slater

JMS:vr

Via facsimile transmission

@ (718) 260-2457

cc: A.U.S.A. Robert Capers, James DiPietro, Esq. and Paul Gianelli

MEMO ENDORSED

It is ordered that counsel to whom this Memo
Indorsement is sent is responsible for faxing a
copy to the court and retaining verification
of the same file. Do not Fax such
communication to Chambers.

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FACSIMILE TRANSMISSION

To: Chambers: Hon. John Gleeson

From: Joseph M. Slater, Esq.

Date: September 12, 2005

Fax No.: (718) 260-2457

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Message: Unites States of America v. Eloise Lyles-Phillips - CR-04-0150 (S-1)-2(JG)
United States of America v. Neil Phillips - CR-04-0150 (S-1) (JG)

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